G R S. App F. IX 4]

Previous References

1942-43 Ml File No 64-62

Serial Nos 12

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two

Part B for Jul

SUBJECT

Bye-election in the Arsikere Town Ml Council

L 65 dt 3/7/43

The DC, Hassan

States that the election of six Councillors is void in the circumstances

(Bye-election to Arsikere Town (1

Continuation Sheet | File No / Current No | of 42 | Page

From The D.C. Hassan Dist.,
Letter No: ml C 3596/42 dt 29.5.43.

Requests, viz that Circumstances [illegible] that the bye-election of six [illegible] the Arsikere Town Municipal Council as duly elected in the vacant seats of defence members, may be treated invalid.

Flag A

1) Reference is invited to the Circular Letter No L9937-45/ml 121-42-53 dt 6/4/43 issuing instructions that the absence due to detention of members of the Municipal Council under the Defence of India Rules cannot be construed as disability under sec 12(2)(b) of the Town Municipal Act 1933. In view of this members under detention continue to be members of the Municipal Council and their seats cannot therefore be considered as vacant. Hence the bye-election of six members held in this case, duly declared by the Returning Officer, appears to be invalid

SECY LAW DEPT 3/6/43 GOVT OF MYSORE

Flag B 3/6

2) Submitted for orders

3) Law Secy

4) The election are accordingly as not having been held. The declaration made by the R.O to be void. The members &c.

Continuation Sheet | File No / Current No | of | Page

OFFICE OF THE MINISTER FOR L.S.G. & P.H.
Date 10.6.63
No. 10103

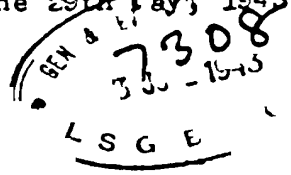
TYPING SECT
29 JUNE 1943
GEN & RE CTT

WD 1140—GPB—50 000—5-11-42

Mr 64-4-13 (3

Office of the Deputy Commissioner,
Hassan District,

No M1 C 3596/42 Dated, Hassan, the 29th May, 1943



From

N S Hirannayya, Esqr., M.A.,
Deputy Commissioner,
Hassan District

To

C Narayanaswamy Naidu, Esqr., B.A., B.L.,
Secretary to Government, Law Department,
Bangalore

Sir,

Cos 2-6-43 Re Bye-election in Arsikere Municipality

I have the honour to state that the marginally noted six Municipal Councillors, having been detained under custody under Defence of India Rules, absented themselves successively for four months from attending the Council Meetings since August 1942 and therefore they were treated as having been disabled to continue as Councillors under Section 12(2)(d) of the Mysore Town Municipal Act 1933 and action was taken to fill up the vacancies thus caused

Messrs
1 B K Shadaksharappa
2 A R Karisiddappa
3 G V Viswanatha Setty
4 D Anantha Sirgh
5 B K S Bakkappa
6 P Channappiah

The Amildar-President who is the returning officer fixed up the Calendar of events for a bye-election, and on the 16th March 1943, the day fixed for the Publication of the final list of candidates as per calendar of events, there were only 6 applicants for six vacancies to be filled up. So the returning office declared the marginally noted applicants as duly elected under Section 16 of the Town Municipal Election Rules and sent up the same for further action under Section 30 of the Town Municipal Election Rules

Messrs
1 Ma Siteramiah
2 N Venktasubbiah
3 Vasi Subbarayasetty
4 Settara Purusiddap a
5 Noosa Khasim ~~Setty Saib~~
6 Veeroji Rao

3 In the meanwhile ~~the~~ letter c L 0937-45/M1 121-42-53 dated 6-4-43 was received from you stating that absence caused by the detention of certain members of Town Municipal Councils under Defence of India Rules should not be treated as voluntary ~~xx~~ or wilful absence of the concerned Councillors resulting in their being disabled from continuing to be Councillors under Section 12(2)(d)

In view of ~~xxxxxxxx~~ your letter cited above, the Councillors referred to in para ~~in~~ 1 above continue to be Municipal Councillors in spite of their absence since August 1942 as they are detenues under Defence of India Rules Therefore I request that the orders of Government may kindly be obtained for treating the Bye-Elections conducted by the Returning Officer, to fill up the places of the absenteex members ref ferred to above as invalid as there were no vacancies at the time

I have the honour to be,

Sir,

Your most obedient servant,

for Deputy Commissioner,
Hassan District
in Absence from Station

TGS/-

Appendix F G —1]

SUBJECT

(5

Section ML

File No 64 42

Serial No 14

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue... 3/7

Signed by Mr. G R. Rao

No L 65 Do, The D S Nasoorth

To Sir,

With Refee to your letter No MLC 3596/62 & 28/5/63 re: the Bye election to the Assam Leg Council, I am directed to state that the election of the six members to the Assam Leg Council stand to have been declared by the Returning officer to provide in the vacancies caused by the detention of the said members of the said Council is void in view of the instructions issued in this office Circular under the Defence of India Rules

List of enclosures ...

Copied by

Examined by ...

WD 04161—GPS—60 000—24 10 41

Letter No L9937-45/on C/21-62-53
dy 6/4/63 re the matter.

I have ck

[signature]

For secy to Govr
Gah Law Dept